

SULLIVAN & CROMWELL LLP

TELEPHONE: 1-212-558-4000
FACSIMILE: 1-212-558-3588
WWW.SULLCROM.COM

125 Broad Street
New York, NY 10004-2498

LOS ANGELES • PALO ALTO • WASHINGTON, D.C.
FRANKFURT • LONDON • PARIS
BEIJING • HONG KONG • TOKYO
MELBOURNE • SYDNEY

MEMO ENDORSED

Approved,
Denise L.
2/19/15

February 19, 2015

Via E-mail and ECF

Hon. Denise L. Cote,
United States District Judge,
Daniel Patrick Moynihan United States Courthouse,
500 Pearl Street, Room 1610,
New York, New York 10007-1312.

Re: FHFA v. Nomura Holding America Inc., et al., No. 11-cv-6201

Dear Judge Cote:

On behalf of all parties, we write to submit proposed redactions to (i) Defendants' Reply in Support of Their Motion to Exclude Certain Testimony of Charles D. Cowan, and supporting materials; (ii) Defendants' Reply in Support of Their Motion to Exclude the Testimony of Dr. Anthony Saunders, and supporting materials, and (iii) Defendants' Opposition to Plaintiff's Motion *in Limine* No. 7, and supporting materials, pursuant to the Court's February 3, 2015 endorsement of Defendants' February 2, 2015 letter (Doc. No. 1214).¹

The parties have met and conferred and agree that, consistent with Sections 2.6, 2.7, 2.8 and 2.9 of the First Amended Protective Order dated January 11, 2013, the exhibits identified in the following charts should be filed under seal or in redacted form because they contain: (1) proprietary information; (2) non-party borrower information; or (3) personal information.

¹ The parties do not have any proposed redactions to Defendants' Reply in Support of Their Motion to Exclude the Testimony of Dr. Anthony Saunders.

Hon. Denise L. Cote

-2-

**Reply Declaration of Elizabeth Cassady in Support of Defendants' Motion to
Exclude Certain Testimony of Charles D. Cowan**

Exhibit	Location of Redaction	Reason for Redaction
Exhibit 1	Pg. 29	Personal Information
Exhibit 4	Pgs. 224:11; 224:13; 224:16; 225:2; 225:4; 225:7-8; 225:23; 226:3-4	Borrower Information
Exhibit 5	Pg. 31, Figure 5-1; Pgs. 32- 34	Proprietary Information
Exhibit 7	303:11; 303:13; 303:18; 303:21; 303:25; 304:3; 304:9; 304:17-18; 305:3-4; 305:16; 305:19-20	Borrower Information

Defendants' Opposition to Plaintiff's Motion *in Limine* No. 7

Exhibit	Location of Redaction	Reason for Redaction
Exhibit A	Pg. 226:4	Personal Information

Highlighted copies of the above-listed exhibits are being submitted to the Court via e-mail.

Hon. Denise L. Cote

-3-

Respectfully Submitted,

/s/ Philippe Z. Selendy

Philippe Z. Selendy
(philippeselendy@quinnmanuel.com)
Jon D. Corey
(joncorey@quinnmanuel.com)
Adam M. Abensohn
(adamabensohn@quinnmanuel.com)
Andrew R. Dunlap
(andrewdunlap@quinnmanuel.com)
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, New York 10010
(212) 849-7000

*Attorneys for Plaintiff Federal Housing
Finance Agency*

/s/ David B. Tulchin

David B. Tulchin
(tulchind@sullcrom.com)
Steven L. Holley
(holleys@sullcrom.com)
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York, 10004
(212) 558-4000

Amanda F. Davidoff
(davidoffa@sullcrom.com)
SULLIVAN & CROMWELL LLP
1700 New York Avenue, NW, Suite 700
Washington, D.C. 20006
(202) 956-7500

*Attorneys for Defendants Nomura Holding
America Inc., Nomura Asset Acceptance
Corporation, Nomura Home Equity Loan,
Inc., Nomura Credit & Capital, Inc.,
Nomura Securities International, Inc.,
David Findlay, John McCarthy, John P.
Graham, Nathan Gorin, and N. Dante
LaRocca*

Case 1:11-cv-06201-DLC Document 1297 Filed 02/19/15 Page 4 of 4

Hon. Denise L. Cote

-4-

/s/ Thomas C. Rice

Thomas C. Rice

(trice@stblaw.com)

David J. Woll

(dwoll@stblaw.com)

Andrew T. Frankel (afrankel@stblaw.com)

Alan Turner

(aturner@stblaw.com)

Craig S. Waldman

(cwaldman@stblaw.com)

SIMPSON THACHER & BARTLETT

LLP

425 Lexington Avenue

New York, New York 10017

Telephone: 212-455-2000

*Attorneys for Defendant RBS Securities
Inc.*